

# Notice of Allowability

Application No.

10/743,943

Examiner

CUONG H. NGUYEN

Applicant(s)

KAWARASAKI, YOSHIHIRO

Art Unit

3661

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed in Aug. 2006.
2. ☒ The allowed claim(s) is/are 3-6, 13-16; they are renumbered as claims 1-8. Formal drawings are accepted.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

CUONG H. NGUYEN  
Primary Examiner  
Art Unit: 3661

### DETAILED ACTION

1. This Office Action is the answer to the amendment received on 8/29/2006, which paper has been placed of record in the file.
2. Claims 3-6, and 13-16 are pending in this application.

#### *Drawings*

3. Five sheets of formal drawings are accepted.

#### *Allowable Subject Matter & Reason for Allowance*

4. Independent claims 6, and 16 are patentable over a closest combination of Kamen et al. (US Pat. 6,302,230), and Kamen et al. (US Pub. 20020121394 A1) because these prior art do not anticipate nor fairly and reasonably teach a human transporter, besides other limitations, comprising:

- an abnormality detecting mechanism configured to detect operational abnormalities of said first drive mechanism and said second drive mechanism by an odd number of at least three independent detection systems.

Kamen et al. disclose about a desired wheel position as embodied at block 1212 may be compared with the current wheel position by the wheels controller 1202 to *determine the differential velocity and direction with which the wheels should be driven* in order to respond to user input commands. The directional differential information may cause different motors attached to different wheels to receive different wheel voltages  $V_{sub.w}$  in order to turn the transport device. This evident does not render obvious to a claimed feature of "abnormality detecting mechanism by said odd number of detection systems, and a drive stopping mechanism configured to stop a drive action of said drive

mechanism when it is judged by said majority decision mechanism that there is an abnormality in said drive mechanism”

5. Claims 3-5, and 13-15 are allowed because they are dependent on independent claims 6, and 16.


6. Claims 5-6 are renumbered as claims 2-1, in that order.

Claims 16, 13-15 are renumbered as claims 5-8, in that order.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661